

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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7	LONNIE EUGENE COX,)	NO. CV-11-5092-JPH
8)	
9	Petitioner,)	AMENDED ORDER ADOPTING
10)	REPORT AND RECOMMENDATION
11	vs.)	
12)	
13	JEFFREY A. UTTECHT,)	
14)	
15)	
16	Respondent.)	
17)	

On January 30, 2012, the Court entered an order adopting the Report and Recommendation recommending that the Petition for a Writ of Habeas Corpus (ECF No. 19) be denied. Later the same day Petitioner filed objections (ECF No. 32).

The Court has reviewed Petitioner's objections. Mr. Cox restates the same arguments raised previously. Accordingly, after further review,

IT IS HEREBY ORDERED:

1. Petitioner's Motion For Re-hearing and Review (ECF No. 37) is **GRANTED**.

2. The Court's previous **order, ECF No. 29, and Judgment, ECF No. 30, are stricken.**

2. The Report and Recommendation (**ECF No. 28**) to deny the Petition for a Writ of Habeas Corpus is **ADOPTED in its entirety.**

3. The Petition is **DENIED**.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order **superceding** the previous order (ECF No. 29), enter an Amended Judgment (**superceding** ECF No. 30), forward copies of the same to the parties, and **close the file**. Petitioner's appeal period commences from the date of the Amended Judgment. See Rule 11(b) of Rules Governing Section 2254 Case; Fed. R. App 4(a)(1) and 4(c).

DATED this 10th day of February, 2012.

s/Lonny R. Suk○

LONNY R. SUKO
UNITED STATES DISTRICT JUDGE